

AMENDED IN SENATE MAY 30, 2000

AMENDED IN SENATE APRIL 25, 2000

**SENATE BILL**

**No. 1830**

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**Introduced by Senator Brulte**

February 24, 2000

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An act to *amend Section 16148 of, to add Section 16146.5 to, and to add Chapter 14 (commencing with Section 15800) to Part 3 of Division 9 of, the Welfare and Institutions Code, relating to human services, and making an appropriation therefor.*

LEGISLATIVE COUNSEL'S DIGEST

SB 1830, as amended, Brulte. Maternity care.

Existing law provides for the provision of maternity care for unmarried persons under 18 years of age, in certain circumstances.

This bill would provide that persons who are over 18 years of age and who remain eligible for AFDC-FC benefits shall be eligible to receive maternity care.

This bill would also establish a maternity care program for persons who are over 18 years of age and who are unmarried, addicted to drugs or alcohol, or who allege to be a victim of actual or threatened domestic violence and are currently living separately from and escaping the assailant, and would provide appropriate maternity care services to eligible individuals at the same level as those provided persons who are under 18 years of age.

The bill would require the State Department of Social Services annually to conduct a designated review of admissions to licensed maternity homes and submit by June 30, 2002, to the appropriate committees of the Legislature a report on the results of the first annual reviews.

*Existing law requires the state to reimburse licensed nonprofit maternity homes, as defined, for costs of specified care and services provided under existing law to unmarried pregnant persons under 18 years of age who are domiciled in this state, to the extent that funds are appropriated therefor.*

*This bill would provide that, for purposes of state reimbursement, "nonprofit maternity homes" shall not include those owned or operated as pervasively sectarian organizations.*

Existing law authorizes the department to require the county to administer the maternity care program, including contracting with maternity homes for reasonable costs of providing maternity care services.

By extending the scope of the maternity care program, this bill would expand the duties of the counties, and would result in a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

The bill would appropriate \$6,000,000 from the General Fund to the State Department of Social Services for the implementation of the maternity care programs.

Vote:  $\frac{2}{3}$ . Appropriation: yes. Fiscal committee: yes. State-mandated local program: yes.

*The people of the State of California do enact as follows:*

SECTION 1. Chapter 14 (commencing with Section 15800) is added to Part 3 of Division 9 of the Welfare and Institutions Code, to read:

CHAPTER 14. MATERNITY CARE

15800. Any person, other than a person who is eligible for benefits under Part 4 (commencing with Section 16000), who is one of the following shall be eligible for benefits under this chapter:

(a) An unmarried person.

(b) A person who is addicted to drugs or alcohol.

(c) A person who alleges to be a victim of actual or threatened domestic violence and who is currently living separately from and escaping the alleged assailant.

15801. Any person who is eligible for benefits under this chapter shall receive the same level of appropriate services as those provided under Chapter 2.4 (commencing with Section 16145) of Part 4.

15802. From any funds appropriated therefor, the state shall reimburse nonprofit maternity homes licensed pursuant to state law for costs of care and services provided under this chapter for eligible individuals who are domiciled in this state.

15803. Maternity home providers shall be subject to the same requirements and shall have the same rights as those specified in Chapter 2.4 (commencing with Section 16145) of Part 4.

15804. At least annually, the department shall review admissions to licensed maternity homes to ensure that the assessed needs of persons accepted for services are appropriately matched with services offered by the homes. By June 30, 2002, the department shall submit a report to the appropriate committees of the Legislature on the results of its reviews to date, including information on:

1 (a) The use of income eligibility criteria for licensed  
2 maternity homes that serve adults over the age of 18  
3 years.

4 (b) The certification of licensed maternity homes by  
5 the State Department of Alcohol and Drug Programs to  
6 ensure a program to prevent pregnancy complications  
7 from drugs and alcohol abuse.

8 (c) The number of licensed maternity homes that  
9 receive consultation ~~of~~ *from* the Domestic Violence Unit  
10 in the State Department of Health Services or local  
11 domestic violence shelters, which are funded by the State  
12 Department of Health Services and the Office of  
13 Criminal Justice Planning, to ensure assistance and  
14 anonymity for victims of violence through security and  
15 protection measures.

16 (d) The number of clients served to ensure that there  
17 is a demand for the maternity care services for those over  
18 the age of 18.

19 (e) Outreach activities by the licensed maternity  
20 home and the State Department of Health Services to  
21 ensure that eligible persons are informed of the  
22 availability of maternity care services provided under this  
23 program.

24 15805. Notwithstanding any other provisions of this  
25 code, the state may require the county to administer the  
26 provisions of this chapter, including contracting with  
27 maternity homes for reasonable costs of providing the  
28 services under this chapter.

29 SEC. 2. Section 16146.5 is added to the Welfare and  
30 Institutions Code, to read:

31 16146.5. Any child over 18 years of age who remains  
32 eligible for AFDC-FC benefits shall be eligible to receive  
33 benefits under this chapter.

34 SEC. 3. *Section 16148 of the Welfare and Institutions*  
35 *Code is amended to read:*

36 16148. (a) From any funds appropriated therefor,  
37 the state shall reimburse nonprofit maternity homes  
38 licensed pursuant to state law for costs of care and  
39 services provided under this chapter to unmarried

1 pregnant persons under 18 years of age who are  
2 domiciled in this state.

3 (b) (1) Reimbursement to nonprofit maternity  
4 homes under this chapter shall be made pursuant to the  
5 methodology used for establishing group home rates  
6 under the Aid to Families with Dependent  
7 Children-Foster Care program, as specified in Section  
8 11462, excluding subdivisions (a), (b), (l), (m),  
9 paragraph (1) of subdivision (f), and paragraphs (2), (3),  
10 and (4) of subdivision (i).

11 (2) Licensed maternity homes shall be subject to the  
12 same performance standards and outcome measures  
13 developed by the State Department of Social Services for  
14 determining the effectiveness of group home placements  
15 under the AFDC-FC program. Any maternity home not  
16 meeting performance standards shall have its rate  
17 adjusted in the same manner as used for group homes not  
18 meeting performance standards.

19 (c) Commencing January 1, 1991, maternity home  
20 providers shall submit to the department information for  
21 the classification of each maternity home program and  
22 the application of the standardized schedule of rates.

23 (d) (1) The department shall reimburse maternity  
24 home providers at the rate classification levels 1 to 5 of the  
25 standardized schedule of rates.

26 (2) It is the intent of the Legislature that the  
27 requirements of paragraph (1) may be subject to revision  
28 in subsequent fiscal years if the maternity home programs  
29 warrant reimbursement at higher rate classification  
30 levels.

31 (3) The department shall establish the rate for the  
32 1991-92 fiscal year for a maternity home program for  
33 which the department established a rate effective prior  
34 to June 30, 1991, that took into account the program's  
35 historical costs by determining the rate classification level  
36 on a retrospective basis, according to the level of care and  
37 services actually provided during one of the following  
38 periods:

39 (A) July 1, 1990 to December 31, 1990, inclusive.

40 (B) July 1, 1990 to March 31, 1991, inclusive.

1 (4) Rates may be adjusted for any licensed maternity  
2 home which accepts clients whose assessments, pursuant  
3 to Section 16146, are not consistent with the rate  
4 classification level.

5 (e) For purposes of this section, “nonprofit maternity  
6 homes” include the following:

7 (1) Any maternity home which is owned and operated  
8 by one or more nonprofit corporations or associations no  
9 part of the net earnings of which inures, or may lawfully  
10 inure, to the benefit of any private shareholder or  
11 individual.

12 (2) Any maternity home publicly owned or operated  
13 by a public utility or agency of this state.

14 (f) *For purposes of this section, “nonprofit maternity  
15 homes” shall not include those owned or operated as  
16 pervasively sectarian organizations.*

17 *SEC. 4.* The sum of six million dollars (\$6,000,000) is  
18 appropriated from the General Fund to the State  
19 Department of Social Services for allocation according to  
20 the following schedule:

21 (a) Three million dollars (\$3,000,000) shall be  
22 allocated for implementation of Chapter 2.4  
23 (commencing with Section 16145) of Part 4 of Division 9  
24 of the Welfare and Institutions Code.

25 (b) Three million dollars (\$3,000,000) shall be  
26 allocated for implementation of Chapter 14  
27 (commencing with Section 15800) of Part 3 of Division 9  
28 of the Welfare and Institutions Code.

29 ~~SEC. 4.~~

30 *SEC. 5.* Notwithstanding Section 17610 of the  
31 Government Code, if the Commission on State Mandates  
32 determines that this act contains costs mandated by the  
33 state, reimbursement to local agencies and school  
34 districts for those costs shall be made pursuant to Part 7  
35 (commencing with Section 17500) of Division 4 of Title  
36 2 of the Government Code. If the statewide cost of the  
37 claim for reimbursement does not exceed one million

1 dollars (\$1,000,000), reimbursement shall be made from  
2 the State Mandates Claims Fund.

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